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SENATE BILL 5847

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State of Washington

54th Legislature

1995 Regular Session

By Senators Quigley, Heavey, Moyer and Wood

Read first time 02/09/95. Referred to Committee on Health & Long-Term Care.

1 AN ACT Relating to health care for persons receiving public  
2 assistance; and amending RCW 74.09.520.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

4 **Sec. 1.** RCW 74.09.520 and 1994 c 21 s 4 are each amended to read  
5 as follows:

6 (1) The term "medical assistance" may include the following care  
7 and services: (a) Inpatient hospital services; (b) outpatient hospital  
8 services; (c) other laboratory and x-ray services; (d) nursing facility  
9 services; (e) physicians' services, which shall include prescribed  
10 medication and instruction on birth control devices; (f) medical care,  
11 or any other type of remedial care as may be established by the  
12 secretary; (g) home health care services; (h) private duty nursing  
13 services; (i) dental services; (j) physical and occupational therapy  
14 and related services; (k) prescribed drugs, dentures, and prosthetic  
15 devices; and eyeglasses prescribed by a physician skilled in diseases  
16 of the eye or by an optometrist, whichever the individual may select;  
17 (l) personal care services, as provided in this section; (m) hospice  
18 services; (n) other diagnostic, screening, preventive, and  
19 rehabilitative services; and (o) like services when furnished to a

1 child by a school district in a manner consistent with the requirements  
2 of this chapter. For the purposes of this section, the department may  
3 not cut off any prescription medications, oxygen supplies, respiratory  
4 services, or other life-sustaining medical services or supplies.

5 "Medical assistance," notwithstanding any other provision of law,  
6 shall not include routine foot care, or dental services delivered by  
7 any health care provider, that are not mandated by Title XIX of the  
8 social security act unless there is a specific appropriation for these  
9 services.

10 (2) The department shall amend the state plan for medical  
11 assistance under Title XIX of the federal social security act to  
12 include personal care services, as defined in 42 C.F.R. 440.170(f), in  
13 the categorically needy program.

14 (3) The department shall adopt, amend, or rescind such  
15 administrative rules as are necessary to ensure that Title XIX personal  
16 care services are provided to eligible persons in conformance with  
17 federal regulations.

18 (a) These administrative rules shall include financial eligibility  
19 indexed according to the requirements of the social security act  
20 providing for medicaid eligibility.

21 (b) The rules shall require clients be assessed as having a medical  
22 condition requiring assistance with personal care tasks. Plans of care  
23 must be approved and reviewed by a nurse.

24 (4) The department shall design and implement a means to assess the  
25 level of functional disability of persons eligible for personal care  
26 services under this section. The personal care services benefit shall  
27 be provided to the extent funding is available according to the  
28 assessed level of functional disability. Any reductions in services  
29 made necessary for funding reasons should be accomplished in a manner  
30 that assures that priority for maintaining services is given to persons  
31 with the greatest need as determined by the assessment of functional  
32 disability.

33 (5) The department shall report to the appropriate fiscal  
34 committees of the legislature on the utilization and associated costs  
35 of the personal care option under Title XIX of the federal social  
36 security act, as defined in 42 C.F.R. 440.170(f), in the categorically  
37 needy program. This report shall be submitted by January 1, 1990, and  
38 submitted on a yearly basis thereafter.

1       (6) Effective July 1, 1989, the department shall offer hospice  
2 services in accordance with available funds.

3       (7) The department shall offer chiropractic services as defined in  
4 chapter 18.25 RCW. The department may adopt by rule such measures as  
5 peer review, utilization review, care plans, or limitation of treatment  
6 to assure that needs are met at the least cost.

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